

PAYMENT TO A COLLECTIVE MANAGEMENT ORGANIZATION

In Guatemala, Collective Management Organizations (CMO) are non-profit civil associations, established in order to defend and administer economic rights, granted to owners of copyright and related rights. These organizations are regulated in the Law of Copyright and Related Rights, Decree 33-98.

Among the most important function of a Collective Management Organization is: gather and distribute remunerations among its members according to the rights they are entitled to.

In Guatemala, there are three Collective Management Organizations legally established which are:

- Asociación Guatemalteca de Gestión de la Industria de Productores de Fonogramas y Afines (AGINPRO)
- Asociación de Autores, Editores e Intérpretes de Guatemala (AEI)
- Sociedad de Artistas de la Música y Obras Audiovisuales de Guatemala (MUSICARTES)

These Collective Management Organizations are able to charge fees for the use of the works of their members, in businesses like: shops, markets, restaurants, bars and night clubs, among others.

Therefore, the aforementioned Collective Management Organizations are constantly conducting audits with the purpose to verify that every natural or legal person is complying with the obligation and making the respective payment, in case of use or exploitation of any work of their members. Consequently, if a work is protected by copyright and is being used, we recommend fulfilling with the obligation of payment to the Collective Management Organization in order to avoid penalties.

If you are interested in obtaining legal advice about this and other matters, please contact us.



Elizabeth Flores

Associate

elizabeth.flores@ariaslaw.com